SENATE BILL 2096
By Johnson

HOUSE BILL 1973

By Maggart

AN ACT to amend Tennessee Code Annotated, Section 39-15-203, relative to the health and safety of women undergoing abortions performed by the administration of mifepristone.

WHEREAS, the abortifacient drug mifepristone has caused the fatality of at least one (1) Tennessee woman; and

WHEREAS, five percent (5%) to eight percent (8%) of women who take the drug will require a surgical abortion to end the pregnancy; and

WHEREAS, it is unsafe for the drug to be administered beyond the forty-ninth day of pregnancy; and

WHEREAS, administering the drug will not cause the abortion of an ectopic pregnancy and may mask symptoms of a ruptured ectopic pregnancy which, if untreated, will lead to serious injury to or death of the patient; and

WHEREAS, the Tennessee Supreme Court has created a right-to-privacy provision in our state constitution with regard to abortion in Tennessee, and it is incumbent upon the General Assembly that such abortions, when administered, protect the health and safety of Tennessee women; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-203, is amended by designating the existing language as subsection (a) and by adding the following language as subsection (b):

(b)

(1) In order to ensure safety for women who are administered the drug mifepristone to induce an abortion, an abortion shall not be performed or induced by the administration of mifepristone upon a pregnant woman until she has been

provided a copy of the Medication Guide and Patient Agreement then published by the manufacturer of the mifepristone and she has been specifically informed, verbally, from the manufacturer's documents by the administering physician that:

(A) A percentage of women who take the drug will require a surgical abortion to end the pregnancy; and

(B) The treatment regimen requires the patient to return for the next two (2) visits to her abortion provider, one (1) or two (2) days after taking the first dose of mifepristone and the second visit approximately fourteen (14) days after the first dose of mifepristone.

(2) The attending physician must affirmatively rule out the existence of an ectopic pregnancy by use of an ultrasound examination.

(3) The pregnant woman shall sign, and the abortion provider shall retain a copy of a form stating that the woman was provided a copy of the Medication Guide and Patient Agreement and that she was orally informed of the particulars matters set forth therein.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.